

The Appellant, Rhonda Meisner respectfully submits this return to the Respondent's Motion for Costs. The appellant requests this Honorable Court of Appeals to deny the Motion for Costs in toto due to the defective affidavit accompanying the request. Rule 222 (a) allows for the winning party to be awarded costs; however, in this case, the affidavit submitted on July 12, 2021, and received by the appellant on July 20, 2021, is defective. Mr. Foerster requested attorney's fees for case number 2011-CP-40-6317 and 2011-CP- 6318; however, this Honorable Court consolidated the appeals. As such, only one attorney fee on appeal of \$2,500 is available for the Respondent to request.

The motion that required an attorney fee affidavit was due 15 days after issuance of the remittitur or on July 13, 2021. The Respondent timely filed the affidavit; however, the appellant avers the affidavit is faulty because it requested fees not available pursuant to Rule 222 (a) because only one case file exists in the Court of Appeals due to this Honorable Court's consolidation of the trial cases. The appellant argues only one Appellate attorney fee is available and because the motion for attorney's fees pursuant to Rule 222 (a) requires an affidavit by an attorney, the appellant avers a corrected affidavit would be untimely.

As noted in the Appellate case number, there is only one case in the Appellate Courts, as such, the Appellant argues that only one fee is available. Because the submitted affidavit requested two attorney's fees, the appellant

requests the Court deny *any* award of attorney's fees because the entire motion is attached to the faulty affidavit submitted.

Respectfully Submitted,

July 21, 2021



Rhonda Meisner

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Jul 21 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas
Joseph F. Strickland, Master in Equity Judge

2018-000251

SOUTH STATE BANK,

Respondent,

v.

Sand Dollar 31, LLC; Rhonda
Meisner, of whom Rhonda
Meisner is the

Appellant.

PROOF OF SERVICE The appellant served a copy of her return to Motion for Costs by
emailing a copy of the return to sean.foerster@ rogerstownsends.com.

July 21, 2021



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Appellant